

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1040-02
Bill No.: SB 323
Subject: Civil Rights; Courts
Type: Original
Date: February 10, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
None			
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
None			
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the Attorney General** assume the proposal would result in a modest increase in filings with the Human Rights Commission and that any potential costs could be absorbed within existing resources.

Officials from the **Department of Labor and Industrial Relations – Missouri Commission on Human Rights (MCHR)** assume they cannot predict the number of cases the proposal would add to the MCHR's caseload. The MCHR received information from four states, two of which have sexual orientation and two of which have a similar definition of the protected category as this proposal: for the two states that only provide sexual orientation protection, the percentage of their cases that are filed under that protected category are 2.1% and 2.4%. For the two states that have the expanded definition, the percentage of cases that are filed under the protected category are 3% and 2%. For the state with the 3% figure, 0.3% of the complaints are based on transgender. For the state with the 2% figure, only 1 case has been filed based on transgender. When the overall figures for the four states are combined, the percentage of cases filed is 2.4%. With the inventory MCHR experienced in FY 2002, the MCHR anticipates an increase in complaints of 2.4%, or 47 complaints. In tough economic times, intake increases and MCHR has already seen increases in intake in FY 2002–2003. Therefore, the ability of the MCHR to carry

out any additional responsibility at this time is problematic. The MCHR estimates ½ FTE for ASSUMPTION (continued)

every 36 new cases to absorb the additional workload. The salary plus fringe benefits would be \$22,908 per year. Since the MCHR is not able to predict the number of cases the proposal would add, the MCHR assumes the cost of the proposal would be unknown, but is not expected to exceed \$100,000 per year.

Oversight assumes there would be no fiscal impact to the Department of Labor and Industrial Relations – Missouri Commission on Human Rights (MCHR). However, if the number of cases increases, MCHR would request additional funding through the budgetary process.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
---	---------------------	---------	---------

	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
--	------------	------------	------------

<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
---	---------------------	---------	---------

	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
--	------------	------------	------------

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal would authorize the Missouri Human Rights Commission to prevent discrimination based on a person's sexual orientation. The proposal would also clarify that discrimination includes cases where unfair treatment results from assumptions about the victim (e.g. race, religion, sexual orientation, etc.) whether or not those assumptions are true or false. Sexual orientation is defined.

This legislation is not federally mandated, would not duplicate any other program and would not

require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Attorney General
Department of Labor and Industrial Relations
– Missouri Commission on Human Rights

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
February 10, 2003